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Counsel for Plaintiff Mimi Weiss

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIMI WEISS.

Plaintiff,

V.

THE PERMANENTE MEDICAL GROUP, INC.,

Defendant.

Case No. 3:23-cv-03490-RS

**STIPULATION REGARDING
SCHEDULED MOTION AND DISMISSAL
OF CLAIM**

1 Plaintiff Mimi Weiss (“Plaintiff”) and Defendant The Permanente Medical Group, Inc.
2 (“TPMG”, collectively with Plaintiff, the “Parties”), by and through their respective counsel of record,,
3 hereby stipulate as follows:

4 WHEREAS, on April 17, 2024, Defendant has filed a Motion for Judgment on the Pleadings (the
5 “Motion”) with a hearing set for May 30, 2023 [CM/ECF #42];

6 WHEREAS, pursuant to Civil Local Rule 7-3, Plaintiff's Opposition to the Motion is presently
due on May 1, 2023 and Defendant's Reply on the Motion is presently due on May 8, 2023;

WHEREAS, lead counsel for Plaintiff Mimi Weiss, Alan Reinach, very recently suffered the loss of an immediate family member, and will be unavailable to respond to Defendant's motion in a timely manner; and

WHEREAS the parties have agreed to dismiss the First Amended Complaint's Fourth Cause of Action for "Religious Coercion – Harassment Title VII" with prejudice in exchange for ~~for~~ a waiver of costs and fees associated with that claim,

IT IS HEREBY STIPULATED AND AGREED:

1. The First Amended Complaint’s Fourth Cause of Action for “Religious Coercion – Harassment Title VII” should be dismissed with prejudice by the Court;
2. Defendant waives any right to costs and fees associated with dismissal of the First Amended Complaint’s Fourth Cause of Action for “Religious Coercion – Harassment Title VII”;
3. The date for Plaintiff to file her Opposition to Defendant’s Motion for Judgment on the Pleadings should be extended two weeks, from May 1, 2024, to May 15, 2024;
4. The date for Defendant to file its Reply should be extended three weeks from May 8, 2024 to May 29, 2024;
5. The hearing on Defendant’s Motion, currently scheduled for May 30, 2024, should be continued to June 20, 2024 at 2:00 p.m.

Respectfully submitted,

24 | Dated: April 23, 2024

CHURCH STATE COUNCIL

By: */s/ Alan J Reinach*
Alan J. Reinach
Jonathon S. Cherne

Attorneys for Plaintiff
MIMI WEISS

1
2 Dated: April 23, 2024
3

SEYFARTH SHAW LLP

4 By: /s/ Sean T. Strauss
5 Christian J. Rowley
Sean T. Strauss
Galen P. Sallomi

6
7 Attorneys for Defendant
THE PERMANENTE MEDICAL GROUP, INC.
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12 **Civil Local Rule 5-1(i)(3) Attestation**

13 Pursuant to Civil L.R. 5-1(i)(3), I attest that all other signatories listed, and on whose behalf this
14 filing is submitted, concur in the filing's content and have authorized the filing. I declare under penalty
of perjury under the laws of the United States of America that the foregoing is true and correct.

15 Alan Reinach
16 Alan J. Reinach
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1 **DECLARATION OF ALAN J. REINACH**

2 I, Alan J. Reinach, declare and state as follows:

3 1. I am an attorney at law duly licensed to practice in the Northern District of California
4 California and am attorney of record for plaintiff Mimi Weiss ("Plaintiff") in the above-referenced
5 action. I am admitted to practice law in the State of California and before the Court and, because because
6 I am an attorney for Plaintiff in this matter, I am familiar with the following facts.

7 2. Pursuant to Civil Local Rule 6-2(a), I make this declaration in support of Plaintiff's and
8 Defendant The Permanente Medical Group, Inc.'s ("Defendant") Stipulation Regarding Scheduled
9 Motion and Dismissal of Claim.

10 3. I am seeking this extension of time with respect to Defendant's Motion for Judgment on
11 the Pleadings due to the unforeseen death of an immediate family member – my brother. As a result of
12 his death on April 8, 2024, I have been effectively on a modified leave from my law practice until about
13 after his memorial service on May 5th, 2024, only attending to housekeeping matters.

14 4. Thus, extending Plaintiff's time to respond will enable me to attend to the briefing of this
15 potentially outcome determinative motion.

16 5. There have been no previous modifications of the parties deadlines to file their respective
17 Opposition and Reply to Defendant's Motion for Judgment on the Pleadings [CM/ECF #42].

18 6. The Parties do not anticipate that the requested time modification will have any impact on
19 the schedule for this case.

20 I declare under penalty of perjury under the laws of the United States of America and the State of
21 California that the forgoing is true and correct.

22 Executed on April 23, 2024 in Westlake Village, California.

23 /s/ Alan J. Reinach
24 Alan J. Reinach

[PROPOSED] ORDER

Pursuant to the Stipulation of Plaintiff Mimi Weiss (“Plaintiff”) and Defendant The Permanente Medical Group, Inc.’s (“Defendant”) Regarding Scheduled Motion and Dismissal of Claim, the Court hereby orders as follows:

1. The First Amended Complaint's Fourth Cause of Action for "Religious Coercion – Harassment Title VII" is hereby DISMISSED WITH PREJUDICE AND WITHOUT LEAVE TO AMEND, with each party to bear its own costs in connection with dismissal of that claim;

2. Plaintiff's Opposition to Defendant's Motion for Judgment on the Pleadings [CM/ECF #42] shall be filed on or before May 15, 2024;

3. Defendant's Reply on Defendant's Motion for Judgment on the Pleadings [CM/ECF #42] shall be filed on or before May 29, 2024;

4. The hearing on Defendant's Motion for Judgment on the Pleadings [CM/ECF #42], presently scheduled for May 30, 2024, shall be continued to June 20, 2024 at 2:00 p.m.

IT IS SO ORDERED

Dated: April 24, 2024

Hon. Richard Seeborg
United States District Court Judge

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